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LIBERTY MUTUAL FIRE INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LARGO CONCRETE, INC., a California
Corporation; N.M.N. CONSTRUCTION,
INC., a California Corporation,

Plaintiffs,

v.

LIBERTY MUTUAL FIRE INSURANCE
COMPANY, a Massachusetts Corporation,
and DOES 1 through 100, inclusive,

Defendants.

AND RELATED COUNTERCLAIM

Case No. C07-04651 CRB (ADR)

Hon. Charles R. Breyer
[Complaint Filed: September 10, 2007]

**LIBERTY MUTUAL FIRE INSURANCE
COMPANY'S SUPP. REQUEST FOR
JUDICIAL NOTICE IN SUPPORT OF ITS
MOTION TO DISQUALIFY
ROXBOROUGH, POMERANCE & NYE
FROM REPRESENTING PLAINTIFFS**

[Filed Concurrently with:

1. Reply Brief
2. Declarations of Hector Barba, Greg
Brisbee, William Cupelo, Greg Farkas,
Frank Falzetta, Lisa Kralik Hansen, Susan
Olson, John Silberstein, Ronald Skocypec
and Scott Sveslosky;
3. Responses to Plaintiffs' Objections to
Evidence Submitted by Liberty Mutual;
4. Liberty Mutual's Objections to Evidence
Submitted by Plaintiffs; and
5. Request to File Certain Exhibits Under
Seal for *In Camera* Review.]

Date: December 21, 2007
Time: 10:00 a.m.
Place: Courtroom 8

REQUEST FOR JUDICIAL NOTICE

Pursuant to Federal Rule of Evidence 201, defendant and counterclaimant Liberty Mutual Fire Insurance Company ("Liberty Mutual"), by and through its attorneys, hereby requests that the Court take judicial notice of the following documents and the statements contained therein:

1. The complaint filed on August 19, 2003 in Raymonda Ashou v. Liberty Mutual Fire Insurance Co., Los Angeles County Superior Court for the State of California, Case No. BC300992 (the "Ashou Complaint"). A true and correct copy of the Ashou Complaint is attached to the Supplemental Declaration of Scott Sveslosky as Exhibit G.

2. The complaint filed on January 17, 2003 in Diane Cessna v. Liberty Mutual Insurance Co., Orange County Superior Court for the State of California, Case No. 03CC01793 (the "Cessna Complaint"). A true and correct copy of the Cessna Complaint is attached to the Supplemental Declaration of Scott Sveslosky as Exhibit J.

3. The complaint filed on June 11, 2003 in Ralph Mock, et al. v. Liberty Mutual Insurance Co., et al., Los Angeles County Superior Court for the State of California, Case No. BC297264 (the "Mock Complaint"). A true and correct copy of the Mock Complaint is attached to the Supplemental Declaration of Scott Sveslosky as Exhibit K.

4. The complaint filed on February 7, 2003 in Danielle McLoughlin, et al. v. Liberty Mutual Insurance Co., et al., Los Angeles County Superior Court for the State of California, Case No. LC063886 (the "McLoughlin Complaint"). A true and correct copy of the McLoughlin Complaint is attached to the Supplemental Declaration of Scott Sveslosky as Exhibit L.

1 5. The Petition to Disqualify filed by Roxborough, Pomerance, & Nye on
2 October 24, 2007 in In re Lien Claims of the Dental Trauma Center, State of California Workers'
3 Compensation Appeals Board Case No. VNO 00485284 *et al.* (the "DTC Petition"). A true and
4 correct copy of the DTC Petition is attached to the Declaration of Frank Falzetta as Exhibit I.

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6 6. The Opposition to Defendants' Motion to Disqualify filed by Roxborough,
7 Pomerance & Nye on August 18, 2006 in Republic Service in Republic Services, Inc. v. Liberty
8 Mutual Insurance Co., et al., United States District Court Eastern District of Kentucky Case No.
9 03-494-KSF (the "Republic Opposition"). A true and correct copy of the Republic Opposition is
10 attached to the Declaration of Frank Falzetta as Exhibit M.

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12 Dated: December 14, 2007

13 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

14
15 By



FRANK FALZETTA

16 Attorneys for Defendant and Counterclaimant
17 LIBERTY MUTUAL FIRE
18 INSURANCE COMPANY
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